

REMARKS

102 Rejections

Claims 1-17, 26-29 and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Cowan et al (US Patent No. 6,115,743). Applicant respectfully submits that the present invention as claimed in Claims 1-17, 26-29 and 31 is neither shown nor suggested by the Cowan et al. reference.

Applicant respectfully submits that the Cowan reference fails to teach or suggest a system or method as recited in independent Claim 1, 12, 17, 26 and 31. For example, amended Claim 1 recites in part (emphasis added):

...gathering communication device information automatically....

Applicant respectfully submits that the Cowan reference does not teach or suggest gathering communication device information automatically. Applicant respectfully asserts that to the extent the Cowan reference may teach communication of user generated commands and data, the Cowan reference teaches away from the present claimed gathering of information automatically by indicating the commands and data are generated manually [abstract].

The present Office Action seems to interpret the Cowan reference (abstract, col. lines 11-67, col. 3 line 64 – col. 5 line 56, col. 6 lines 30-67, col. 7 lines 1-10, col. 9 line 48 – col. 10 line 22, col. 10 line 65 – col. 11 line 58, col. 12 line 9 – col. 13 line 54, col. 14 line 29

– col. 15 line 9 and col. 16 lines 26-47) as teaching gathering communication device information automatically. Applicant respectfully asserts the Cowan reference does not teach gathering communication device information automatically and arguably teaches away from the present claimed invention by seeming to indicate that to the extent information may be gathered it is gathered manually with a significant amount of user intervention. Applicant respectfully asserts that Col. 1 line 28-30 of the Cowan reference indicate that the restoration system requires human intervention. Applicant respectfully asserts that Col. 2 lines 44-58 of the Cowan reference indicate the communication of commands between the user terminals and the telecommunications network monitoring and management process and between the user terminals and the telecommunication devices indicates that user interaction is required. Applicant respectfully asserts that Col. 5 lines 49-62 of the Cowan reference indicate the user provides commands and data. Applicant respectfully asserts that Col. 9 lines 23-67 of the Cowan reference indicate a user configures parameters of the RTR Server's interface with each restoration device.

Applicant respectfully submits that the Cowan reference fails to teach or suggest parsing gathered communication device information,. For example, amended Claim 1 recites in part (emphasis added):

including identifying portions of said communication device information
and correlating said portions of said communication device information to
an operation or characteristic of a device;

Applicant respectfully submit that the Cowan reference does not teach or suggest parsing gathered communication device information. Applicant respectfully asserts that to the extent the Cowan reference may teach communication of commands and data, the Cowan reference teaches away from the present claimed parsing by indicting the commands and data generation requires significant user intervention [Col. 1 lines 28-35, Col. 2 lines 44-58, Col. 3 line 64 –Col. 4 line 11, Col. 5 lines 49-60, Col. 6 lines 30-35, Col. 7 lines 1-10, Col. 9 lines 23-67 and columns 14 – 16].

In addition, Applicant respectfully asserts that to the extent the Cowan reference may teach device interface processes configured to translate communications between a communications format of a graphical server process and a device specific communications format [Col. 2 lines 29 – 34] it does not teach parsing as claimed in the present application. Applicant respectfully assert that translating in which one format is converted to another format does not teach parsing in which a string of characters is analyzed.

Applicant respectfully submits that the Cowan reference fails to teach or suggest analyzing characteristics and operations of said network communication device as claimed in the present application. Applicant respectfully submits that the Cowan reference does not teach or suggest analyzing the characteristic and operations of a network communication device. Applicant respectfully asserts that to the extent the Cowan reference may teach fault analysis to detect network outages [Col.7 lines 1 – 10], the Cowan reference does not teach analyzing the characteristic and operations of the

network communication device. In addition, Applicant respectfully asserts the Cowan reference teaches away from the present claimed analyzing the characteristics and operations of a network device by indicting the user sends commands and data implying the user does the analysis (abstract, col. lines 11-67, col. 3 line 64 – col. 5 line 56, col. 6 lines 30-67, col. 7 lines 1-10, col. 9 line 48 – col. 10 line 22, col. 10 line 65 –col. 11 line 58, col. 12 line 9 – col. 13 line 54, col. 14 line 29 – col. 15 line 9 and col. 16 lines 26-47).

Applicant respectfully asserts that claims 2 – 11, 13 – 16 and 27 –29 are allowable as depending from allowable independent claims 1, 12 and 26 respectively.

103 Rejections

The present Office Action indicates Claims 18-25, 30 and 32-37 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Cowan et al. (US Patent No. 6,115,743) in view of Tonelli et al (US Patent No. 6,229,540). Applicant respectfully asserts that the present invention is neither shown nor suggested by the Cowan reference and the Tonelli reference, alone or together. In addition, Applicant respectfully asserts there is no motivation or suggestion to combine the Cowan and Tonelli reference to teach the present invention.

Regarding claims 18-23 and 32-36, the present Office Action acknowledges that the Cowan reference fails to show using net rules. The present Office Action also

indicates that it would have been obvious to one of ordinary skill in the art at the time the invention to modify the graphical user interface as taught by Cowan to include device icons and rules engine software as taught by Tonelli so that audit tool may interact with different cards manufactured by different vendors. Applicant respectfully asserts that even if the present Office Action indication that Cowan and Tonelli references teach an audit tool that may interact with different cards manufactured by different vendors is correct, the Cowan and Tonelli references do not teach determining the characteristics of a communication device, comparing the results to a set of established net rules and identifying net rule exceptions. Applicant also respectfully asserts that to the extent the Tonelli reference may mention a rules engine, the rules engine is directed to verifying a connection validity to prevent a user from making invalid connections [Col.4 lines 50-58] and not determining the comparison of a communication device characteristics to a set of established net rules.

Regarding claim 24, the present Office Action indicates the Cowan reference teaches the audit tool identifies potential causes of problems. Applicant respectfully asserts the Cowan reference does not teach identification of potential causes of problems.

Regarding claims 25, 30 and 37, the present Office Action acknowledges that the Cowan reference fails to show providing a suggestive course of action for a problem. The present Office Action also indicates that it would have been obvious to one of ordinary skill in the art at the time the invention to modify the graphical user interface

as taught by Cowan to include device icons and rules engine software as taught by Tonelli so that audit tool may identify mismatches thus preventing the user from making invalid connections. Applicant respectfully asserts that the Cowan and Tonelli references do not teach providing a suggested corrective course of action for a problem as claimed in the present Application. Applicant also respectfully asserts that even if the present Office Action indication that Cowan and Tonelli references teach an audit tool may identify mismatches thus preventing the user from making invalid connections is correct, the Cowan and Tonelli references do not teach providing suggested corrective course of action to the problem. Applicant respectfully asserts that identifying a mismatch may indicate that a connection is not compatible but does not provide a corrective course of action.

Thus, Applicant respectfully asserts the present Claimed invention is neither shown nor suggested by the Cowan nor Tonelli references, alone or together

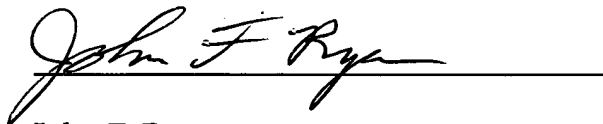
Conclusion

In light of the above-listed amendments and remarks, Applicant respectfully requests allowance of the remaining Claims. The examiner is urged to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

WAGNER, MURABITO & HAO

Date: 10/27, 2003

A handwritten signature in cursive script, reading "John F. Ryan", is written over a horizontal line.

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